

MEMORANDUM

Agenda Item No. 7(A)

TO: Honorable Chairwoman Rebeca Sosa
and Members, Board of County Commissioners

DATE: (Second Reading 9-16-14)
July 1, 2014

FROM: R. A. Cuevas, Jr.
County Attorney

SUBJECT: Ordinance relating to zoning;
creating regulations to permit
cargo container storage units
in certain zoning districts;
amending Section 33-20 of
the Code

The accompanying ordinance was prepared and placed on the agenda at the request of Prime Sponsor Commissioner Juan C. Zapata.



R. A. Cuevas, Jr.
County Attorney

RAC/smm

Memorandum



Date: September 16, 2014

To: Honorable Chairwoman Rebeca Sosa
and Members, Board of County Commissioners

From: Carlos A. Gimenez
Mayor

A handwritten signature in black ink, likely belonging to Carlos A. Gimenez, the Mayor.

Subject: Ordinance relating to zoning; creating regulations to permit cargo container storage units in certain zoning districts; amending section 33-20 of the Code of Miami-Dade County, Florida

The proposed ordinance pertains to zoning; creating regulations to permit cargo container storage units in certain zoning districts; amending Section 33-20 of the Code of Miami-Dade County. Implementation of this ordinance will not have a fiscal impact to the County.

A handwritten signature in black ink, likely belonging to Jack Osterholt, the Deputy Mayor.

Jack Osterholt
Deputy Mayor

Fis9214



MEMORANDUM

(Revised)

TO: Honorable Chairwoman Rebeca Sosa
and Members, Board of County Commissioners

DATE: September 16, 2014

FROM: R. A. Cuevas, Jr.
County Attorney

SUBJECT: Agenda Item No. 7(A)

Please note any items checked.

_____ "3-Day Rule" for committees applicable if raised

_____ 6 weeks required between first reading and public hearing

_____ 4 weeks notification to municipal officials required prior to public hearing

_____ Decreases revenues or increases expenditures without balancing budget

_____ Budget required

_____ Statement of fiscal impact required

_____ Ordinance creating a new board requires detailed County Mayor's report for public hearing

_____ No committee review

_____ Applicable legislation requires more than a majority vote (i.e., 2/3's _____, 3/5's _____, unanimous _____) to approve

_____ Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 7(A)

9-16-14

ORDINANCE NO. _____

ORDINANCE RELATING TO ZONING; CREATING REGULATIONS TO PERMIT CARGO CONTAINER STORAGE UNITS IN CERTAIN ZONING DISTRICTS; AMENDING SECTION 33-20 OF THE CODE OF MIAMI-DADE COUNTY, FLORIDA; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

**BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF
MIAMI-DADE COUNTY, FLORIDA:**

Section 1. Section 33-20 of the Code of Miami-Dade County, Florida, is hereby amended to read as follows:¹

Sec. 33-20. Accessory buildings; utility sheds and pergolas; swimming pools; fallout shelters; boat storage; portable mini-storage units >>; cargo container storage units<<.

* * *

>>(j) Cargo container storage units. For the purpose of this section, the term cargo container storage unit shall mean a shipping container that is designed for cargo storage and is placed on a given property. Cargo container storage units are subject to the following conditions and limitations:

- (1) Units may only be placed on property located in the following zoning districts: IU, BU-1A, BU-2, and BU-3.
- (2) Units may only be used for storage that is ancillary to an existing business.

¹ Words stricken through and/or [[double bracketed]] shall be deleted. Words underscored and/or >>double arrowed<< constitute the amendment proposed. Remaining provisions are now in effect and remain unchanged.

- (3) No hazardous materials may be stored in the cargo container storage unit.
- (4) Units may not be placed in a manner that renders the site non-conforming with parking, landscaping, or lot coverage requirements.
- (5) Containers may not be stacked.
- (6) Containers shall be placed behind the front and side street building lines. No container shall alter or impede the traffic flow within the site or that of service alleys when applicable.
- (7) Containers shall be maintained free from rust and graffiti.
- (8) The number of containers shall be limited to 1 for parcels of 1 acre or less. An additional container may be permitted for each additional acre of net lot area.
- (9) The container setback shall be as follows:

<u>Rear and interior:</u>	<u>5 feet</u>
<u>Side street:</u>	<u>15 feet</u>
<u>Spacing between a container and existing structure:</u>	<u>Zero</u>
<u>Spacing between containers:</u>	<u>Zero</u>
- (10) Units shall setback 50 feet from residential, single-family property or single-family zoning districts. Units legally established prior to September 1, 2014 are exempt from this requirement.
- (11) The property owner shall apply for and obtain a Zoning Improvement Permit (ZIP) pursuant to Section 33-8.1 for each cargo container storage unit.
- (12) A ZIP may be revoked by the Director at any time upon violation of any of the conditions or limitations stated herein.<<

Section 2. If any section, subsection, sentence, clause or provision of this ordinance is held invalid, the remainder of this ordinance shall not be affected by such invalidity.

Section 3. It is the intention of the Board of County Commissioners, and it is hereby ordained that the provisions of this ordinance, including any sunset provision, shall become and be made a part of the Code of Miami-Dade County, Florida. The sections of this ordinance may be renumbered or relettered to accomplish such intention, and the word "ordinance" may be changed to "section," "article," or other appropriate word.

Section 4. This ordinance shall become effective ten (10) days after the date of enactment unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

PASSED AND ADOPTED:

Approved by County Attorney as
to form and legal sufficiency:



Prepared by:



Lauren E. Morse

Prime Sponsor: Commissioner Juan C. Zapata